UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/770,721	01/25/2001	Jeong Yun Kim	300055.486	6690

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EXAMINER
NG, CHRISTINE Y

ART UNIT	PAPER NUMBER
2663	6

DATE MAILED: 06/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	**Applicant(s)**
Office Action Summary	09/770,721	KIM ET AL.
	Examiner	**Art Unit**
	Christine Ng	2663

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 January 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-3 and 7* is/are rejected.

7)☒ Claim(s) *4-6* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 January 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☒ All   b)☐ Some * c)☐ None of:

    1.☒ Certified copies of the priority documents have been received.

    2.☐ Certified copies of the priority documents have been received in Application No. _____.

    3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
   Paper No(s)/Mail Date <u>5</u>.

4) ☐ Interview Summary (PTO-413)
   Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 3 is objected to because of the following informalities:

There should be no terms in parentheses in lines 3, 6-7, 8, 10, 12, 14 and 16.

Appropriate correction is required.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   Claims 1, 2 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable

over U.S. Patent No. 6,714,544 to Bosloy et al in view of U.S. Patent No. 5,825,750 to

Thompson.

Referring to claim 1, Bosloy et al discloses in Figure 3 a method for clarifying and

compressing an ATM connection type information for an ATM connection setup in

accordance with an ATM signaling protocol in an ATM call control module (Element

424) being located between an ATM terminal (Element 428 or 430) and an ATM

switching system (Element 412), the ATM call control module (Element 424) performing

an ATM connection setup function. Refer to Column 15, lines 63-67 and Column 16,

lines 45-50. The method comprises:

A first step of receiving an ATM SETUP message (Proxy SETUP message), the

ATM SETUP message (Proxy SETUP message) requesting the ATM connection setup

from the ATM calling terminal (Element 420). Source ATM node 434 receives a Proxy

SETUP message from the call processor 424 to establish a connection from source 420

to destination 422. Refer to Column 18, lines 41-67; Column 19, lines 29-33 and

Column 21, lines 35-49.

A second step of analyzing information elements included in the received SETUP

message (Proxy SETUP message) to determine ATM connection types to be setup,

thereby clarifying connection type information. The Proxy SETUP message contains

information about the channels to be used for the connection and other parameters as

listed in Table 1 (Column 22, lines 6-30). Refer to Column 19, lines 1-28.

A third step of compressing the clarified connection type information (from Proxy

SETUP message) into one connection type information (Network SETUP message).

"When a proxy connection establishment request message is received, the source ATM

node 434 constructs a network connection establishment request message for

requesting the establishment of an S-PVC based on the information in the proxy

connection establishment request message" (Column 19, lines 33-38). Refer to Column

20, lines 7-23 and Column 21, lines 35-43.

Bosloy et al do not disclose that the ATM call control module includes a

predetermined combinations of ATM connections which can be updated.

Thompson discloses in Figure 2 that an ATM cell processor (Element 220)

includes a memory (Figure 4, Element 408) "stores user profiles and keeps a running

record based on monitored transmission, i.e., is updated on a cell-by-cell basis"

(Column 6, lines 42-45). The cell processor 220 stores user profiles from each of the

source nodes 202 and 204. The user profiles are predetermined combinations of ATM

connections for each of the users, including traffic parameters such as cell arrival rate

and link error rate which can be continuously updated based on a cell-by-cell basis.

Refer to Column 4, lines 24-57. The user profiles also contain QOS requirements that

are established by user contract. Refer to Column 4, line 57 to Column 5, line 4.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the

invention was made to include that the ATM call control module includes a

predetermined combinations of ATM connections which can be updated; the motivation

being so that the call control module can accommodate a plurality of users each

requesting a different type of connection. The parameters can also be updated since

some traffic parameters such as link error rate are constantly changing so that the call

control module can maintain a most current traffic profile for each of the accommodated

users.

Referring to claim 2, Bosloy et al disclose rejecting connection setup request to

transmit a reject (release) message to the ATM calling terminal and completing an ATM

connection setup procedure. Upon receiving a SETUP message, the destination node

may decide to reject the call with a release message. The release message will "clear

the call and its corresponding cross-connects across the network". Refer to Column 6,

lines 27-33 and lines 41-45.

However, Bosloy et al do not disclose the fourth step of rejecting connection

setup when the determined ATM connection type is not matched to the predetermined

combinations of ATM connections and wherein the fourth step is disposed after the second step.

Thompson discloses in Figure 3 a method of rejecting connection setup if the transmission under consideration does not match the user profile. The user profile is "compared to derived user information for a transmission under consideration to identify any deviation from the profile maintained for the source node user". The matching step is thus performed after the user information is analyzed to determine if its parameters compare with those of the user profile. Refer to Column 5, lines 14-26 and Column 6, lines 4-6. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include rejecting connection setup when the determined ATM connection type is not matched to the predetermined combinations of ATM connections and wherein the fourth step is disposed after the second step; the motivation being to provide security in the system and avoid invalid transmissions. Refer to Column 1, lines 47-49. The method can also maintain fairness in the system so that in case of congestion, an aggressive connection cannot gain access to the network if it does not match one of the predetermined types.

Referring to claim 7, refer to the rejection of claim 1. Bosloy et al also discloses that the method "may be implemented in the software in the interface of the call processor 424 such as an application programming interface (API)". Refer to Column 21, lines 6-14.

4.   Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over

U.S. Patent No. 6,714,544 to Bosloy et al in view of U.S. Patent No. 5,825,750 to

Thompson, and in further view of U.S. Patent No. 6,282,197 to Takahashi. Bosloy et al

disclose in Table 1 (Column 22, lines 6-30) that the connection type information (in

Proxy SETUP message) includes: ATM connection protocol information that are

clarified through Protocol Discriminator among information elements; ATM connection

configuration information that is clarified through Broadband Bearer Capability among

information elements; and ATM signal transmission information which are clarified

through Broadband Sending Complete among information elements.

Bosloy et al and Thompson do not disclose ATM traffic negotiation information

which are clarified through Minimum Acceptable ATM traffic Description among

information elements; ATM virtual connection information which are clarified through

Soft PVC called Endpoint among the information elements; and ATM service type

information which are clarified through Generic Identifier Transport among the

information elements.

However, Bosloy et al disclose that the network SETUP message in Table 2

(Column 25, lines 1-32) includes the parameters of Minimum Acceptable ATM traffic

Description, Soft PVC called Endpoint, and Generic Identifier Transport. Therefore, it

would have been obvious to one of ordinary skill in the art at the time the invention was

made to include that the connection type information includes ATM traffic negotiation

information which are clarified through Minimum Acceptable ATM Traffic Description in

order to allocate proper bandwidth to existing connections during congestion; ATM

virtual connection information which are clarified through Soft PVC called Endpoint in

order to facilitate establishing a connection to the destination; and ATM service type information which are clarified through Generic Identifier Transport among the information elements in order to determine what type of service the connection will be utilizing.

Bosloy et al and Thompson also do not disclose that the connection type information includes ATM service type information which are clarified through Narrowband Bearer Capability among information elements.

Bosloy et al discloses that the system can be adaptable to networking protocols such as NISDN. Refer to Column 13, lines 58-63. Takahashi et al disclose in Figure 13 that a setup message includes a narrowband bearer capability parameter. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to include that the connection type information includes ATM service type information which are clarified through Narrowband Bearer Capability among information elements; the motivation being that the system may utilize NISDN and there needs to be a means to notify the destination that the system uses NISDN as the service type during call setup.

Allowable Subject Matter

5.   Claims 4-6 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

6.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christine Ng whose telephone number is (703) 305-8395. The examiner can normally be reached on M-F; 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nguyen Chau can be reached on (703) 308-5340. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

C. Ng ᥑ
June 14, 2004

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